

## Message Text

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PAGE 01 STATE 090356

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

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DRAFTED BY EB/AN:AJRIMAS/ARA/CEN/N:GAGOWEN:DAP

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FM SECSTATE WASHDC

TO AMCONSUL BELIZE

AMEMBASSY TEGUCIGALPA

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E.O. 11652: N/A

TAGS: EAIR, BH, HO

SUBJECT: CIVAIR: BELIZE AIRWAYS LIMITED PLANS FOR SERVICE

TO US, CENTRAL AMERICA

REFS: A) TEGUCIGALPA 1847, B) TEGUCIGALPA 1622,

C) BELIZE O.M. DATED 3/31/76, D) BELIZE 323

1. BEGIN UNCLASSIFIED. REF (C) AND (D) INDICATED A PRINCIPAL OF BELIZE AIRWAYS LIMITED HAS ASKED CONGEN FOR ASSISTANCE IN PROCESSING APPLICATION TO CAB FOR PASSENGER/FREIGHT SERVICE TO MIAMI FROM BELIZE. DEPARTMENT RESPONSIBLE FOR TRANSMITTING LICENSE APPLICATION TO CAB ONCE RECEIVED FROM BRITISH EMBASSY, AS WELL AS COMMENTING ON ANY POSSIBLE FOREIGN POLICY IMPLICATIONS OF THE APPLICATION. HOWEVER, FACT THAT BELIZE AIRWAYS HOPES TO BEGIN

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PAGE 02 STATE 090356

SERVICE THIS MAY, INDICATES CONSIDERABLE IGNORANCE OF

PROCEDURES AND PROBLEMS INVOLVED. YOU MAY WISH TO PROVIDE BELIZE AIRWAYS WITH FOLLOWING INFORMATION FOR THEIR GUIDANCE:

2. BEFORE BELIZE AIRWAYS COULD OPERATE INTO US IT WOULD FIRST HAVE TO BE DESIGNATED BY UK AUTHORITIES TO OPERATE ROUTE BETWEEN BELIZE AND MIAMI AS DESCRIBED IN

ANNEX III PARA FIVE OF US-UK AIR SERVICES AGREEMENT. SUCH DESIGNATIONS MUST BE CONVEYED TO DEPARTMENT THROUGH DIPLOMATIC CHANNELS BY UK GOVERNMENT.

3. IF AIRLINE IS DESIGNATED, IT WOULD HAVE TO APPLY TO THE US CIVIL AERONAUTICS BOARD FOR A FOREIGN AIR CARRIER PERMIT PURSUANT TO SECTION 402 OF THE FEDERAL AVIATION ACT. APPLICATION MUST BE TRANSMITTED THROUGH DIPLOMATIC CHANNELS. IN VIEW OF THE COMPLEXITY OF APPLICATION PROCEDURES, IT WOULD BE ADVISABLE FOR THE AIRLINE TO RETAIN SERVICES OF US ATTORNEY WHO WOULD PREPARE APPLICATION AND PRESENT EVIDENCE REQUIRED BY CAB. WITH REGARD TO SELECTION OF ATTORNEY, BELIZE AIRWAYS COULD SOLICIT RECOMMENDATION FROM OTHER AIRLINES OR REFER TO MARTINDALE-HUBBELL DIRECTORY IF AVAILABLE AT POST.

4. APPLICATIONS FOR FOREIGN AIR CARRIER PERMITS ARE SUBJECT TO PUBLIC EVIDENTIARY HEARINGS BEFORE CAB ADMINISTRATIVE LAW JUDGE (ALJ). AFTER ALJ MAKES HIS RECOMMENDATION (WHICH IS NOT BINDING), IT AND EVIDENCE SUBMITTED AT HEARING WOULD FORM BASIS FOR PERMIT DECISION BY FIVE MEMBERS OF CAB. DECISION OF MEMBERS THEN SUBMITTED TO PRESIDENT FOR FINAL APPROVAL. IN CONSIDERING THE APPLICATION, THE CAB, AMONG OTHER THINGS, EXAMINES THE FITNESS AND ABILITY OF THE AIRLINE TO PROVIDE THE PROPOSED SERVICES AND CONSIDERS WHETHER OR NOT THE AIRLINE MEETS THE REQUIREMENT THAT OWNERSHIP AND CONTROL OF THE AIRLINE MUST BE VESTED IN THE NATIONALS OF THE COUNTRY WHERE THE AIRLINE IS ESTABLISHED. THE APPLICATION PROCEEDINGS MAY BE LENGTHY AND CUMBERSOME; THERE IS NO POSSIBILITY THAT THEY COULD BE COMPLETED BY MID LIMITED OFFICIAL USE

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PAGE 03 STATE 090356

MAY 1976.

5. IF A PERMIT WERE OBTAINED, BELIZE AIRWAYS WOULD BE REQUIRED TO FILE ITS INITIAL TARIFFS WITH THE CIVIL AERONAUTICS BOARD. IT WOULD ALSO HAVE TO CONSULT WITH THE UNITED STATES FEDERAL AVIATION ADMINISTRATION TO OBTAIN AN APPROVED SET OF OPERATING SPECIFICATIONS. THIS DOCUMENT DESCRIBES AIRCRAFT, TYPE OF OPERATIONS

PERMITTED AND OTHER TECHNICAL DETAILS, FOR EXAMPLE MAXIMUM AUTHORIZED TAKEOFF WEIGHT FOR SHORT RUNWAYS OR HIGH FIELD ELEVATIONS AT POINTS IN US TO WHICH AIRLINE INTENDS TO OPERATE. FINALLY, AIRLINE WOULD BE REQUIRED TO SUBMIT TO CAB "AIRPORT NOTICE" FOR EACH US AIRPORT AT WHICH IT INTENDS TO LAND, DESCRIBING OPERATION THERE. THESE ARE GENERALLY STANDARD, SHORT ROUTINE NOTICES, BUT THEY

PRESUPPOSE THAT AIRLINE HAS CONSULTED AND MADE ARRANGEMENTS WITH LOCAL AIRPORT AUTHORITIES IN EACH CASE, AND IS PREPARED TO FULFILL ANY SPECIAL LOCAL REQUIREMENTS. END UNCLASSIFIED.

6. BEGIN LIMITED OFFICIAL USE. SEVERAL ASPECTS OF BELIZE AIRWAYS PROPOSAL TROUBLESOME AND SUPPORT JUDGEMENT THAT APPLICATION WOULD NOT PROSPER BEFORE CAB. IDEA THAT ANY GROUP IN BELIZE COULD MUSTER CAPITAL AND OTHER RESOURCES NECESSARY FOR OPERATION OUTLINED IN CONGEN O.M. AND REFTEL D APPEARS DUBIOUS. REFTELS INDICATE POSSIBLE INVOLVEMENT OF OUTSIDE PRINCIPALS IN HONDURAS, INCLUDING OFFICIAL OF GOH. IF THIS PROPOSAL AT ALL SERIOUS, MONEY FROM OTHER SOURCES MAY ALSO BE INVOLVED. WE WOULD APPRECIATE ANY ADDITIONAL INFORMATION ON THE BACKGROUND OF THIS PROJECT WHICH MAY COME TO THE ATTENTION OF CONGEN AND EMBASSY TEGUCIGALPA.

7. FYI: ONCE BELIZE BECOMES INDEPENDENT, WE WOULD NOT WISH TO EXTEND THE APPLICABILITY OF THE US-UK AIR SERVICES AGREEMENT TO THE NEW COUNTRY, SINCE THE ROUTE RIGHTS CONTAINED IN THE AGREEMENT HAVE BEEN NEGOTIATED ON THE BASIS OF ESTABLISHING RECIPROCAL BENEFITS BETWEEN THE US AND UK, NOT BELIZE. THERE WOULD BE LITTLE ADVANTAGE LIMITED OFFICIAL USE

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PAGE 04 STATE 090356

TO US AVIATION INTERESTS IN A ROUTE EXCHANGE WHICH WOULD RESULT IN ACCESS BY US AIRLINES TO THE LIMITED BELIZE MARKET WHILE PERMITTING BELIZE ACCESS TO THE FAR MORE LUCRATIVE US MARKET. IN ABSENCE OF AN AGREEMENT, THERE WOULD BE NO BASIS FOR GRANTING AN OPERATING PERMIT TO A BELIZE AIRLINE, UNLESS, AT SOME FUTURE DATE A US AIRLINE STARTED SERVING BELIZE AND WE WOULD BE OBLIGED TO GRANT RECIPROCAL BENEFITS. IF A BELIZE AIRLINE WERE TO OBTAIN A US OPERATING PERMIT WHILE THE US-UK AIR SERVICES AGREEMENT REMAINS OPERATIVE WITH REGARD TO BELIZE, THE CONDITIONS OF THE PERMIT WOULD HAVE TO BE REVIEWED UPON INDEPENDENCE. END LIMITED OFFICIAL USE. KISSINGER

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**To:** BELIZE TEGUCIGALPA  
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